

Atul

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 341 OF 2017
IN
CIVIL REVISION APPLICATION NO. 437 OF 2017

Meena Avanti Shah ...Applicant

Versus

Chandrakumari Harnamsingh Chowhan (deleted) ...Respondent
Kamlesh Singh Harnamsingh Chowhan

Mr Rajiv Deokar, *for the Applicant.*

Mr Vivek Kantawala, *for the Respondent.*

Mr Erach Kotwal, *i/b Vinayak Salokhe, for the Intervenor.*

CORAM: G.S. PATEL, J

DATED: 1st November 2017

PC:-

1. The civil application is for restoration and for setting aside the order of dismissal dated 12th September 2017. The reasons set out in the civil application are sufficient. The civil application is made absolute in terms of prayer clause (a). Civil Revision Application No. 437 of 2017 is restored to file.

2. It appears that in the meantime the Respondent has already resumed possession and, therefore, there is no question of now staying execution of the impugned decree.

3. It appears that one Padma Ashok Singh has separately filed an Intervention Application. This intervention civil application has not been numbered or allowed to be lodged because the main Civil Revision Application was itself dismissed. Now that the Civil Revision Application is restored, the Intervention Application may proceed to filing.

4. Mr Kotwal who appears for the intervenor states that his attorney will file the Intervention Application in the course of the week. Mr Kotwal will serve both the Applicant and the Respondent with the copies of the Intervention Application.

5. The civil application is disposed of in these terms. No costs.

6. List the Civil Revision Application along with Civil Application filed by Padma Ashok Singh on 22nd November 2017.

(G. S. PATEL, J)